

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

FEDERATION EMPLOYMENT AND
GUIDANCE SERVICE, INC. d/b/a FECS,

Debtor.

ROBERT N. MICHAELSON, solely in his
capacity as CREDITOR TRUSTEE OF THE
FECS CREDITOR TRUST,

Plaintiff,

vs.

ANDREWS INTERNATIONAL, INC.,

Defendant.

Chapter 11

Case No. 15-71074 (REG)

Adv. Proc. No. 17-08043 (REG)

**ORDER DENYING DEFENDANT ANDREWS INTERNATIONAL, INC.'S
APPLICATION FOR SUMMARY JUDGMENT DISMISSING THE COMPLAINT**

The Court, having considered *Defendant Andrews International, Inc.'s Application for Summary Judgment Dismissing the Complaint* (the “**Motion**”), and *Defendant Andrews International Inc.'s Statement Pursuant to Local Bankruptcy Rule 7056-1 of the Material Fact is [sic.] to Which There Are No Genuine Issues to be Tried*, and *Defendant Andrews International, Inc.'s Memorandum of Law in Support of Its Motion for Summary Judgment*, and the *Declaration of Michael J. Levin in Support of Defendant Andrews International Inc.'s Motion for Summary Judgment* [Dkt. No. 26], and *Plaintiff's Memorandum of Law in Opposition to Defendant, Andrews International Inc.'s Application for Summary Judgment Dismissing the Complaint* [Dkt. No. 27], and *Plaintiff's Opposition to Defendant's Statement Pursuant to Local Bankruptcy Rule 7056-1 of the Material Fact is [sic.] to Which There Are No Genuine Issues to be Tried*; *Separate Statement of Material Facts* [Dkt. No. 28], and the *Declaration of Jeffrey P.*

Nolan in Support of Plaintiff's Opposition to Defendant, Andrews International Inc. [sic.] Application for Summary Judgment Dismissing the Complaint [Dkt. No. 29], and the Declaration of Judith Pincus in Support of Plaintiff's Opposition to Defendant, Andrews International Inc. [sic.] Application for Summary Judgment Dismissing the Complaint [Dkt. No. 30], and the Reply Memorandum of Defendant Andrews International, Inc. in Support of Its Motion for Summary Judgment [Dkt. No. 33], and the Reply Declaration of Michael J. Levin in Support of Defendant Andrews International Inc.'s Motion for Summary Judgment [Dkt. No. 34] and the record of this adversary proceeding, and the record of this chapter 11 case, and the Court having conducted a hearing on the Motion on October 15, 2018 (the "**Hearing**"), and counsel of record for each party having appeared and argued at the hearing, this Court finds for the reasons set forth on the record for the hearing, that the Motion should be denied in its entirety.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, as previously stated on the record at the Hearing, as follows:

1. The Motion is DENIED in its entirety.

**Dated: Central Islip, New York
October 25, 2018**



**Robert E. Grossman
United States Bankruptcy Judge**